

REMARKS/ARGUMENTS

Prior to the entry of this Amendment, claims 1-4, 6, 7 and 9-20 were pending in this application. Claims 1 and 10 have been amended, no claims have been canceled, and no claims have been added herein. Therefore, claims 1-4, 6, 7 and 9-20 remain pending in this application. Applicants respectfully request reconsideration of these claims, as amended, for at least the reasons presented below.

35 U.S.C. § 102 Rejection, Baer

Claims 1-4, 6, 7 and 9-20 under 35 U.S.C. § 102(e) were previously rejected as being anticipated by U. S. Patent No. 6,611,840 B1 of Baer et al. (hereinafter "Baer"). The Applicants respectfully submit the following arguments pointing out significant differences between claims 1-4, 6, 7, and 9-20 submitted by the Applicant and Baer.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP 2131 citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Applicants respectfully argue that Baer fails to disclose each and every claimed element.

As noted previously, Baer relates to "a system, method and program product for creating compilations of content from hierarchical content stored in a data repository." (Col. 1, lines 55-57) Baer teaches "creating a compilation of content stored in a data repository as a group of hierarchically related content entities, managing, displaying, and searching the content, then creating and exporting compilations of content for publication." (Col. 2, lines 15-19) "A web-based user interface is provided for presenting a user with a plurality of selectable objects, each object representing a subset of the hierarchical [content] data." (Col. 2, lines 43-45) "The user then selects one or more of the objects for inclusion in a compilation." (Col. 2, lines 50-51)

"The system then creates a file object (e.g., a CBO) defining the compilation that contains a list or outline of the content entities selected, their identifiers, order and structure. This file object is stored separately in the data repository." (Col. 3, lines 2-5) "The list or outline is presented to the user at the web interface as a table of contents, and may be edited through the interface." (Col. 3, lines 7-9) "Once the user is satisfied with the organization of the compilation, it is submitted it for publication." (Col. 3, lines 12-13)

That is, Baer teaches a web-based interface for allowing a user to select and arrange a collection of content items in a hierarchical fashion. Content that is provided to the system is input in SGML format and reformatted for storage. (Col. 5, lines 4-12) However, Baer does not disclose each and every claimed element.

For example, claim 1, upon which claims 2-4, 6, and 7 depend recites in part "an abstraction engine communicably coupled to a first plurality of content object entities within a customer's premises, the abstraction engine operable to receive a content object from one of the first plurality of content object entities and to form the content object into an abstract form; a distinction engine communicably coupled to a second plurality of content object entities within the customer's premises, the distinction engine operable to conform the abstracted content object with a standard compatible with a selected one of the second plurality of content objects." Baer does not disclose an abstraction engine operable to receive a content object from one of the first plurality of content object entities within a customer's premises and to form the content object into an abstract form or a distinction engine operable to conform the abstracted content object with a standard compatible with a selected one of the second plurality of content objects within the customer's premises.

With regard to the customer's premises and the first and second plurality of content object entities within the customer's premises, the Advisory Action equates the customer's premises to Baer's content objects in a content repository. The applicants respectfully submit that this is not a reasonable interpretation. More specifically, as the words "customer's

premises" are commonly used, it should be readily understood that a customer's premises is the customer's house, office, etc. Furthermore, a reading of the claims and the accompanying description reinforces this meaning of the words. Baer clearly describes content objects stored in a content repository. However, Baer does not describe a first and second plurality of content object entities within the customer's premises.

Furthermore, claim 1 recites in part " wherein the first plurality of content object entities includes at least two content object entities selected from a group consisting of: an appliance control system, a telephone information system, a storage medium including video objects, a storage medium including audio objects, an audio stream source, a video stream source, a human interface, the Internet, and an interactive content entity; and wherein the second plurality of content object entities includes at least two content object entities selected from a group consisting of: an appliance control system, a telephone information system, a storage medium including video objects, a storage medium including audio objects, a human interface, the Internet, and an interactive content entity." Baer does not disclose, for example, a first and a second plurality of content entities that include an appliance control system or a telephone information system, either at the customer's premises or elsewhere. For at least these reasons, claims 1-4, 6, and 7 should be allowed.

Similarly, claim 10, upon which claims 11-17 depend, recites in part "accessing a first content object from a first content object entity within a customer's premises, wherein the first content object is in a first content format; abstracting the first content object to create a second content object in an abstract format, wherein the abstract format is compatible with a plurality of content formats; distinguishing the second content object to create a third content object, wherein the third content object is in a second content format that is compatible with a second content object entity within the customer's premises." Baer does not disclose abstracting the first content object from a first content object entity within a customer's premises to create a second content object in an abstract format, wherein the abstract format is compatible with a plurality of content formats, or distinguishing the second content object to create a third content

object, wherein the third content object is in a second content format that is compatible with a second content object entity within the customer's premises. For at least these reasons, claims 10-17 should be allowed.

Claim 18, upon which claims 19 and 20 depend, recites in part "identifying content object entities within the customer premises." Baer does not disclose identifying content object entities within the customer premises. Furthermore, claim 18 recites in part "grouping the identified content object entities into a first plurality of content object entities and a second plurality of content object entities, wherein the first plurality of content object entities are sources of content objects, and wherein the second plurality of content object entities are destinations of content objects." For at least these reasons claims 18-20 should be allowed.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

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Respectfully submitted,



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